IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 23298 of 2006

Dated 8th November, 2006

Between

B.Yugandhar

..... Petitioner

and

The Principal, Kuppam Engineering College,
Kuppam, Chittoor District.

....Respondent.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 23298 of 2006

ORDER:

The petitioner, a student of fourth year engineering course, has filed this Writ Petition seeking Writ of Mandamus to declare the action of the respondent in not receiving his examination fee and not permitting him to appear for IV year 1st Semester examinations as illegal and arbitrary.

It is submitted by the learned Counsel for the petitioner that the petitioner has put in attendance of 57.92% in the IV year 1st semester course. It is further submitted that as the petitioner suffered with viral fever, he could not attend the classes from 26-06-2006 to 16-08-2006.

As per the academic regulations framed by the Jawaharlal Nehru Technological University, a minimum attendance of 75% is required to acquire the eligibility to write examinations. However, the Academic Committee can condone the shortage of attendance in aggregate upto 10%. Therefore, even to seek condonation of shortage in attendance, one must have put in the attendance of not below 65%. In a similar matter, a Division Bench of this Court in the case of *M.Sunil Chakravarthy Vs. Principal Sreekalahasteeswara*[1] has considered this aspect and held that no direction by way of Mandamus can be issued contrary to the regulations framed by the University to condone the shortage of attendance, in case a candidate puts in less than 65% of attendance, and, permit him/her to write examinations. In that view of the matter, as it is not disputed that the petitioner has put in less than 65% attendance, I do not find any valid ground for issuance of directions as sought for.

The Writ Petition is devoid of merits and the same is accordingly dismissed at the admission stage. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 08-11-2006

Issue CC to day
(BO) Msnr.

[1] 2005(1)ALD 253 (DB)